

From: [Tiffany Wilhelm](#)
To: [Kevin Johnston](#)
Subject: RE: CEQA notifications
Date: Thursday, December 1, 2022 12:58:00 PM
Attachments: [HUSD CEQA NOE HES RESTROOMS 102622 ocr.pdf](#)
[HUSD CEQA NOE SOLAR ARRAYS 102622 ocr.pdf](#)

December 1, 2022

VIA EMAIL

Kevin Johnston
kvnj@yahoo.com

Re: California Public Records Request/CEQA Notifications

This letter is in response to your records request ("Request") to the Hamilton Unified School District ("District") dated December 1, 2022. The District interprets your Request to be made under the California Public Records Act ("CPRA"), and will respond to it as such. If our understanding is incorrect, please let us know.

In accordance with California Government Code section 6253.1, the District understands you are requesting:

- Notices of CEQA documents prepared for all projects for which HUSD is the lead agency by USPS or email.

Please notify us if we have misunderstood your Request.

In general, please be advised that only those documents that meet the definitions contained in the CPRA and which are not otherwise exempt from disclosure will be produced. (Gov. Code, §§6252-6255.) In general, the following records, among others, are exempt from disclosure: (1) Preliminary drafts, notes, or interagency or intra-agency memoranda that are not retained by the public agency in the ordinary course of business (Gov. Code, §6254, subd. (a)); (2) Records, the disclosure of which is exempted or prohibited pursuant to federal or state law, including, but not limited to, provisions of the Evidence Code relating to the official information privilege, as well as confidential information (Gov. Code, §6254, subd. (k); Evid. Code, §§1040 & 1060); (3) Records exempt from disclosure under the deliberative process privilege, work product, or attorney-client privilege, or the public interest exemption (Gov. Code, §6255; Evid. Code, §950, *et seq.*; *Citizens for Open Gov. v. City of Lodi* (2012) 205 Cal.App.4th 296, 305); (4) Personnel, medical, or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy (Gov. Code, §6254, subd. (c)); (5) employee's private contact information (Gov. Code, §6254.3); and (6) any other records exempt from disclosure under Government Code section 6254, *et seq.*, or other applicable law.

Upon reviewing your request, the District has made a good faith effort to determine whether, and to what extent, your request seeks disclosable, non-exempt public records under the CPRA. Without waiving the full scope of any objections that may apply to your Request, information related notices of CEQA documents for projects which HUSD is the lead agency can be here found on our web site:

<https://www.husdschools.org/site/default.aspx?PageType=14&DomainID=244&PageID=1952&ModuleInstanceID=4835&ViewID=1e008a8a-8e8a-4ca0-9472-a8f4a723a4a7&IsMoreExpandedView=True>

Also attached to this e-mail are two additional documents pertaining to your request:

- HUSD CEQA NOE HES RESTROOMS 102622
- HUSD CEQA NOE SOLAR ARRAYS 102622

The CPRA only requires production of records which exist at the time of the request, and the District is not required to create records in order to respond to CPRA requests. (Gov. Code, §§ 6252 & 6253; *Sander v. State Bar of California* (2018) 26 Cal.App.5th 651; see also *Haynie v. Super. Ct.* (2001) 26 Cal.4th 1061.) Accordingly, to the extent this Request is seeking an existing document which includes all of the requested information, no such record exists. To the extent you are requesting the District to create such a document, this request is outside the scope of the CPRA.

This concludes the District's response to your CPRA request. Should you have any questions, please do not hesitate to contact me.

Tiffany Wilhelm
*District Executive Assistant
& Special Projects Manager*
Hamilton Unified School District
620 Canal Street, PO Box 488
Hamilton City, CA 95951
P: (530) 826-3261 Ext. 6011
F: (530) 826-0440
<https://www.husdschools.org/>

From: Kevin Johnston <kvnj@yahoo.com>
Sent: Thursday, December 1, 2022 11:45 AM
Subject: CEQA notifications

In accordance with Public Resources Code § 21092.2 this is a formal written request to be mailed notices of CEQA documents prepared for all projects which your agency is the lead agency. I would prefer notification by USPS however, if it is easier for your agency email is acceptable.

Thank you,

Kevin Johnston

2476 Buena Vista Avenue

Livermore, CA 94550



WARNING: This email is not from an HUSD employee! This email originated from someone outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: Glenn

516 W. Sycamore Street, Second Floor

Willows, CA 95988

From: (Public Agency): Hamilton Unified School District
620 Canal Street

Hamilton City, CA 95951

(Address)

Project Title: Hamilton Elementary School Alterations at Existing Restroom

Project Applicant: Hamilton Unified School District

Project Location - Specific:

277 Capay Avenue

Project Location - City: Hamilton City

Project Location - County: Glenn

Description of Nature, Purpose and Beneficiaries of Project:

Renovation of existing student restrooms at Hamilton Elementary School

Name of Public Agency Approving Project: Hamilton Unified School District

Name of Person or Agency Carrying Out Project: Jeremy Powell, Superintendent

Exempt Status: **(check one):**

☐ Ministerial (Sec. 21080(b)(1); 15268);

☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));

☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));

☒ Categorical Exemption. State type and section number: 15301

☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

Operation, repair, maintenance, or minor alteration of existing facilities; uses of structures are not expanded.

Lead Agency

Contact Person: Jeremy Powell, Superintendent

Area Code/Telephone/Extension: 530-826-3261

If filed by applicant:

1. Attach certified document of exemption finding.

2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: [Signature] Date: 10-26-22 Title: Superintendent

☒ Signed by Lead Agency ☐ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

REVOLVING FUND
HAMILTON UNIFIED SCHOOL DISTRICT
PO BOX 488
HAMILTON CITY, CA 95951
PH. 530-826-3261

1698
90-3504/1211

10/28/22
Date

FRALDARMOR

Pay to the Order of Glenn County Clerk \$ 50.00
Fifty + 00/100 Dollars

 tri counties bank

1-800-922-8742

Reno of HES Restrooms

For notice of exemption

Christopher Hammer

⑆ 121135045⑆ 1698 066565713⑈

Sandy Perez, Clerk-Recorder
Glenn County, CA
516 West Sycamore Street, 2nd Floor
Willows, CA 95988

Receipt: 83641

Product	Name	Extended
FISH	CEQA FISH AND WILDLIFE FILING	\$50.00

Pages 2, Document # 2022EIR047, Document
Info: HAMILTON UNIFIED SCHOOL DISTRICT,
Filing Type NOE, State Fee Prev Charged false,
No Charge Clerk Fee false F&W County Admin Fee
\$50.00

Total	\$50.00
Tender (Check)	\$50.00
Check# 1699, Paid By: HAMILTON UNIFIED SCHOOL DISTRICT	

Thank You

Fri Oct 28 10:58:06 PDT 2022 eniblack

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: Glenn

515 W. Sycamore Street, Second Floor

Willows, CA 95988

From: (Public Agency): Hamilton Unified School District
620 Canal Street

Hamilton City, CA 95951

(Address)

Project Title: Hamilton High School & Elementary School Solar Array Installations

Project Applicant: Hamilton Unified School District

Project Location - Specific:

620 Canal Street & 277 Capay Avenue

Project Location - City: Hamilton City

Project Location - County: Glenn

Description of Nature, Purpose and Beneficiaries of Project:

The District proposes to install solar energy arrays in two parking lots at Hamilton High School and on one field at Hamilton Elementary School.

Name of Public Agency Approving Project: Hamilton Unified School District

Name of Person or Agency Carrying Out Project: Jeremy Powell, Superintendent

Exempt Status: **(check one):**

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☐ Categorical Exemption. State type and section number: _____
- ☒ Statutory Exemptions. State code number: 21080.35

Reasons why project is exempt:

Proposed project is exempt from further environmental review under the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.) because it is consistent with CEQA Section 21080.35 which provides that solar energy systems installed on an existing parking lot are statutorily exempt from CEQA.

Lead Agency

Contact Person: Jeremy Powell, Superintendent Area Code/Telephone/Extension: 530-826-3261

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: [Signature] Date: 10-26-22 Title: Superintendent

X Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

Revised 2011

REVOLVING FUND HAMILTON UNIFIED SCHOOL DISTRICT PO BOX 488 HAMILTON CITY, CA 95951 PH. 530-826-3261		1699 90-3504/1211 FRAUDARMOR
Pay to the Order of	Glenn County Clerk Fifty + 00/100	Date 10/28/22 \$ 50.00 Dollars
tri counties bank 1-800-922-8742 Solar energy arrays		Security Features Details on Back
For notice of exemption		Custody Hamman
1:121135045:1699 066565713		

Sendy Perez, Clerk-Recorder
 Glenn County, CA
 516 West Sycamore Street, 2nd Floor
 Willows, CA 95988

Receipt: 83640

Product	Name	Extended
FISH	CEQA FISH	\$50.00
	AND WILDLIFE	
	FILING	

Pages 2, Document # 2022EIR046, Document
 Info: HAMILTON UNIFIED SCHOOL DISTRICT,
 Filing Type NOE, State Fee Prev Charged false,
 No Charge Clrk Fee false F&W County Admin Fee
 \$50.00

Total	\$50.00
Tender (Check)	\$50.00
Check# 1698, Paid By: HAMILTON UNIFIED SCHOOL DISTRICT	

Thank You

Fri Oct 28 10:52:15 PDT 2022 eniblack